HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7983 OF 2005.

Babaso Bhau Balwan. ..Petitioner.
Versus.
Divisional Commissioner,
Pune Division, Pune & Ors. ..Respondents.

Shri. A. B. Borkar for the Petitioner.

CORAM: S.B.MHASE,J.

DATE : MARCH 8, 2006.

P.C.

1. Heard. Perused the order dated 13th June 2003 passed by the Divisional Commissioner, Pune Division, Pune. I find that in view of the Supreme Court directions as reflected in Civil Appeal No. 11809 of 1995 in the matter of Babaso Bhau Balwan v/s. Director of Resettlement & Ors., the Commissioner has given an opportunity to the petitioner to produce relevant material. Since the petitioner has produced certificate dated 20.11.2001 showing that there is a grass barren, residential area, boar barren, well barren lands, in all admeasuring 0.65 -Rs., Commissioner proposed to verify the said barren lands personally. The Divisional Commissioner personally along with Gavkamgar Talathi and Mandal Adhikari visited the site on 9.4.2003 and tried to find out the

genuiness of the certificate dated 20.11.2001. On visit to the land, Panchnama was prepared wherein the barren lands were recorded to the extent of 0.08-Rs as reflected in the order of the Divisional Commissioner, Pune Division, Pune.

. Thus, barren land is admeasuring 8-R and not 65-Rs. Thereafter he has applied the slabs as provided under the Act and fixed the rate. This Court finds that all the directions given by the Apex Court have been followed not only on paper but actually by visiting the said land. Physical examination has been carried out by the Divisional Commissioner. No interference is called for. Petition is, therefore, rejected.

(S.B.MHASE, J.)